

**STATE PERSONNEL BOARD, STATE OF COLORADO**  
Case No. 2003G114

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**ORDER OF THE STATE PERSONNEL BOARD DENYING PETITION FOR HEARING**

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HARLEN AINSCOUGH,

Complainant,

vs.

DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, HAZARDOUS  
MATERIALS & WASTE MANAGEMENT DIVISION,

Respondent.

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This matter is before the Colorado State Personnel Board ("Board") at its regularly scheduled public session held on April 20, 2004. The Board reviewed the Preliminary Recommendation of the Board's Director in this matter, and based on such review, and being advised in premises,

IT IS HEREBY ORDERED that the Preliminary Recommendation be adopted and the petition for hearing be DENIED.

This Order represents the affirmative vote of the following Board members: Ms. Garcia, Mr. Zakhem, and Ms. Lottner. Ms. Salkind abstained from voting. Ms. Siderius was absent.

Dated this \_\_\_\_\_ day of  
April, 2004.

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Joyce Lottner  
Board Chair  
State Personnel Board  
1120 Lincoln Street, Suite 1420  
Denver, Colorado 80203

### NOTICE OF APPEAL

Each party has the following rights:

1. To abide by the decision of the State Personnel Board; or
2. To appeal this decision to the Colorado Court of Appeals within 45 days pursuant to Section 24-4-106(11) C.R.S. (2003), as provided in Section 24-50-125.4(3), C.R.S. (2003).

In the event the decision is appealed, the Board requests that a copy of the Notice of Appeal filed with the Court of Appeals also be filed with the State Personnel Board at: 1120 Lincoln Street, Suite 1420, Denver, CO 80203. Such will aide in the timely preparation of the record.

### CERTIFICATE OF MAILING

This is to certify that on the \_\_\_\_\_ day of April, 2004, I placed true copies of the foregoing **ORDER OF THE STATE PERSONNEL BOARD DENYING PETITION FOR HEARING** in the United States mail, postage prepaid, addressed as follows:

Mark A. Schwane, Esq.  
Colorado Federation of Public Employees  
1580 Logan Street, Suite 310  
Denver, Colorado 80203

**and in the interagency mail, to:**

Monica J. Ramunda  
Assistant Attorney General  
Employment Section  
1525 Sherman Street, 7<sup>th</sup> Floor  
Denver, Colorado 80203